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**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

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	:	
In re:	:	Chapter 11
	:	
ALL YEAR HOLDINGS LIMITED,	:	Case No. 21-12051 (MG)
	:	
Debtor.	:	
	:	
	:	
-----	X	
AYH WIND DOWN LLC, through Ofer Tzur and	:	
Amir Flamer, solely in their joint capacity as	:	
Claims Administrator	:	
	:	
Plaintiff,	:	
	:	
ALEXANDER M. ENGELMAN,	:	Adversary No. 23-01196-mg
	:	
Defendant.	:	
	:	
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**DECLARATION OF ERIC SILVESTRI IN SUPPORT OF PLAINTIFF'S MOTION TO AMEND THE
ADVERSARY COMPLAINT**

I, Eric S. Silvestri, declare:

1. I am a partner at the law firm of Chapman and Cutler LLP (*“Chapman”*), counsel of record for Plaintiff AYH Wind Down LLC (*“Plaintiff”*) in the above-referenced Adversary Proceeding (the *“Adversary Proceeding”*).

2. I make this Declaration in support of Plaintiff’s Motion to Amend the Adversary Complaint (the *“Motion”*).

3. I am a member in good standing of the State Bar of Illinois and have been granted leave to appear in the Bankruptcy Court administering the Adversary Proceeding *pro hac vice*. I have personal knowledge of the facts set forth in this Declaration and, if called as a witness, could and would testify competently to such facts under oath.

4. Plaintiff served document requests on Defendant on May 6, 2024.

5. Defendant made his initial document production on July 10, 2024. That production did not contain any purported partnership agreement between Mr. Engelman and Mr. Goldman.

6. During the deposition of Mr. Yoel Goldman on October 29, 2024, Mr. Engelman’s attorney showed Mr. Goldman a Yiddish document that Mr. Engelman had not produced in discovery to that point.

7. Mr. Goldman testified that this agreement, which only Mr. Goldman signed in either 2013 or 2014, documented an undisclosed partnership with Mr. Engelman that, according to him, entitled Mr. Engelman to pro-rated shares of the “profits and losses” from various LLCs.

8. Following Mr. Goldman’s deposition, Plaintiff quickly engaged a translation service for a certified English translation.


9. Plaintiff received that certified translation on November 11, 2024, and produced the translated documents to Defendant on the same day.

10. Attached as Exhibit 1 to this Declaration are excerpts from the deposition of Defendant.

11. Attached as Exhibit 2 is a copy of the English translation of the undisclosed partnership agreement referenced in Mr. Goldman's deposition.

12. I declare under penalty of perjury of the laws of the United States that the foregoing is true and correct.

Executed on November 12, 2024 in Chicago, Illinois.



Eric S. Silvestri